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HIGH COURT OF CHHATTISGARH : BILASPUR

Division Bench

Coram : Hon'ble Shri Jagdish Bhalla, Acting CJ &
Hon'ble Shri Satish K. Agnihotri, J

(PIL)Writ Petition No. 3696 of 2004

PETITIONER Krishna Kumar Dhruw, aged about 42 years, son of Shri A. R. Dhruw, Caste-Gond (S.T.), Ex.-MLA, Keshkal, resident of Badpara, Keshkal, Distt. Bastar, Jagdalpur (Chhattisgarh)

Vs.

RESPONDENTS

1. State of Chhattisgarh, through The Secretary, Department of Environment & Urban Development, DKS Bhawan, Raipur (Chhattisgarh)
2. The Collector, Distt. Bastar (Chhattisgarh)
3. Chief Nagar Panchayat Officer, Keshkal, Distt. Bastar (Chhattisgarh)
4. The President/Chairman, Nagar Panchayat-Keshkal, District-Bastar (CG)

(Writ Petition under Article 226/227 of the Constitution of India)

Present :

Shri Bhaskar Pyasi, counsel for the petitioner.

Shri A.K.Kachhawaha, Government Advocate for the State.

ORAL ORDER

(Passed on 26th September, 2007)

The following oral order of the Court was passed by **Hon'ble Shri Jagdish Bhalla, Acting C.J.**

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I.A.No.3

This is an application for disposal of petition in motion hearing.

Learned counsel appearing for the petitioner submits that he does not want to press this application. Accordingly, the application is rejected.

The petitioner before this Court has challenged the notification dated 5-2-2003 issued by the Government of Chhattisgarh calling upon any person or any local authority to submit objections in writing to the Collector, Bastar within 30 days from the date of publication of the intention in the "Chhattisgarh Rajpatra" for the consideration of the State Government. The petitioner failed to submit any objection for the reasons best known to him. The petitioner has further questioned the gazette notification dated 26-4-2003 notifying the constitution of Nagar Panchayat, Keshkal in District Bastar. Thereafter, the petitioner kept silent for sixteen long months and thereafter made non-statutory representation dated 2-9-2004 (Annexure P/7) to the State Government before filing of the writ petition on 1-10-2004. However, in the meantime, even elections of Nagar Panchayat, Keshkal in District Bastar were held. It was open for the petitioner to avail the remedy for filing objections, but he failed to do so.

The laches were also not explained by the petitioner. The constitution of Nagar Panchayat is in public interest. No interference is warranted in this petition. Accordingly, this petition is dismissed.

Sd/-
Acting Chief Justice

Sd/-
Satish K. Agnihotri
Judge

Raju